

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLAUDELL R. SMITH,

Petitioner,

Case No. 1:10-cv-1196

v.

Honorable Paul L. Maloney

SUPERINTENDENT,

Respondent.

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**JUDGMENT**

In accordance with the Opinion entered this day:

**IT IS ORDERED** that the petition for writ of habeas corpus is **DISMISSED**  
**WITHOUT PREJUDICE** under Rule 4 of the Rules Governing § 2254 Cases for lack of  
exhaustion of available state-court remedies.

Dated: January 20, 2011

/s/ Paul L. Maloney  
Paul L. Maloney  
Chief United States District Judge